

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CIVIL ACTION NO. 1:10cv468 (WOB)

SCHAWN D. LITTLE

PETITIONER

VS.

ORDER

WARDEN, WARREN CORRECTIONAL  
INSTITUTION

RESPONDENT

This matter is before the court upon the Report and Recommendation of the United States Magistrate Judge (Doc. #7), and there being no objections filed thereto by petitioner, and the court being sufficiently advised,

**IT IS ORDERED AND ADJUDGED** that the Report and Recommendation of the Magistrate Judge (Doc. #7) be, and it is, hereby **adopted** as the findings of fact and conclusions of law of the court; that the respondent's motion to dismiss (Doc. #4) be, and it hereby is, **granted**; that the petition for writ of habeas corpus (Doc. #1) be, and it hereby is, **dismissed, with prejudice**, on the ground that it is time-barred, pursuant to 28 U.S.C. § 2244(d); that **no** certificate of appealability shall issue herein; that an appeal of this Order would not be taken in "good faith", and the court will deny any motion to proceed *in forma pauperis* on appeal upon a showing of financial necessity; and that this matter be **dismissed**

and **stricken** from the docket of this court. A separate Judgment shall enter concurrently herewith.

This 9<sup>th</sup> day of June, 2011.



**Signed By:**

**William O. Bertelsman** WOB

**United States District Judge**

UNITED STATES DISTRICT COURT  
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PETITIONER

VS.

JUDGMENT

WARDEN, WARREN CORRECTIONAL  
INSTITUTION

RESPONDENT

Pursuant to the Order entered concurrently herewith,

**IT IS ORDERED AND ADJUDGED** that the within action be, and it is, hereby **dismissed**, with prejudice, and **stricken** from the docket of this court.

This 9<sup>th</sup> day of June, 2011.



Signed By:

William O. Bertelsman WOB

United States District Judge